

REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY

JUNE 21, 2004  
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers  
Commissioner Andrew S. Layson  
Commissioner Chuck Fletcher  
Mayor William I. May, Jr. (4)  
ABSENT: Commissioner Robert Roach (1)

Invocation given by Rev. Robert Strode, St. John A.M.E. Church.

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that the reading of the minutes of May 17, 2004 Regular Meeting and June 7, 2004 Work Session be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May recognized Commissioner Chuck Fletcher for his appointment to the Board of Commissioners.

"AN ORDINANCE ESTABLISHING A HAZARDOUS MATERIALS RESPONSE TEAM FOR THE CITY OF FRANKFORT TO CREATE AND FORM THE HAZ-MAT 14 RESPONSE TEAM WITH FRANKLIN COUNTY FISCAL COURT AND THE COMMONWEALTH OF KENTUCKY" was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 9, 2004 Series)

"AN ORDINANCE PROVIDING FOR THE RECOVERY OF COSTS INCURRED FOR RESPONSE TO A HAZARDOUS MATERIALS INCIDENT" was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 10, 2004 Series)

"AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2004-2005" was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Layson, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 11, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 8, 2003 SERIES; ORDINANCE NO. 20, 2003 SERIES; AND FRANKFORT MUNICIPAL CODE SECTION 2.93.030 PAY PLAN (SALARY ORDINANCE)" was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 12, 2004 Series)

"AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF FRANKFORT, KENTUCKY; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; AND PROVIDING FOR THE MANNER OF AMENDING SUCH CODE" was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Layson, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson,

Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 13, 2004 Series)

“AN ORDINANCE REPEALING ORDINANCE NO. 21, 1979 SERIES, AND ORDINANCE NO. 31, 1980 SERIES, RELATING TO AUXILIARY POLICE FORCE” was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 14, 2004 Series)

“AN ORDINANCE REPEALING FRANKFORT MUNICIPAL CODE CHAPTER 6.04 FOOD REGULATIONS” was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Fletcher, seconded by Commissioner Bowers, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 15, 2004 Series)

“AN ORDINANCE REPEALING FRANKFORT MUNICIPAL CODE CHAPTER 6.08 MILK REGULATIONS” was presented and read. This ordinance had its first reading May 17, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 16, 2004 Series)

“AN ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMBULANCE SERVICE AGREEMENT BETWEEN THE CITY OF FRANKFORT AND HOSPICE OF THE BLUEGRASS, INC.” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 15, 2004 Series)

“A RESOLUTION OF THE CITY OF FRANKFORT, KENTUCKY RELATING TO THE IMPROVEMENT AND EXPANSION OF THE WATER SYSTEM OF THE ELECTRIC AND WATER PLANT BOARD OF THE CITY OF FRANKFORT, KENTUCKY” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 4, 2004 Series)

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to enter lease agreement with BRJ Partners for radio repeater site on U.S. 421 North for a period of ten years beginning on July 1, 2004, at the rate of \$200 per month to be paid in ten annual payments of \$2,400 each for a total of \$24,000 over the life of the lease, with funding from Communications account 100.39.53295 (Communications);
- 6.2 Authorization to enter into agreement with Franklin County School System for connecting Peaks Mill School to Cove Spring trails through the Fincel property, contingent upon school system receiving grant funding through Bluegrass Pride Grant for outdoor classroom; with school system to build nature trail approximately 200 yards long and City to provide mulch/bark for trails at cost of \$500 allocated in Cove Spring Construction Account 640 (Parks & Recreation);
- 6.3 Authorization for filing joint grant application with Franklin County Fiscal Court for 2004 Homeland Security Funds, application to consist of funding requests for both city and county governments, Health Department, and hospital, to focus on communication needs, haz-mat equipment and training, protective gear for law enforcement and security systems for City Hall and Sewer Department facility, with no local match required (Fire Department);
- 6.4 Authorization to declare one Land Pride Mower, one Foley Grinder, one Nearly Grinder and setup table as surplus and authorize disposal through trade-in with Xenia Equipment Company toward purchase of Lastec 3682 Mower through State Price Contract #C-00053962 at \$20,998, less trade-in value of \$2,000 for Land

Pride Mower, SN 260038, and \$1,500 for grinders and set-up table, final purchase price of \$17,698 with funding from equipment account 100.79.56550 (Golf Course);

6.5 Personnel:

- Retirement of Michael Lyons, Patrol Officer, effective June 1, 2004 and authorization for payment of 62 hours accrued vacation leave and 8 hours accrued holiday leave (Police Department);
- Appointment of James T. Hopper to position of Collection System Maintenance I effective June 22, 2004 (Sewer Department);
- Appointment of Thomas J. Gaines and David W. Stivers to position of Collection System Laborer effective June 22, 2004 (Sewer Department);
- Leave of absence not to exceed six (6) months to Chermie Maxwell, Office Assistant, effective June 7, 2004 (Planning & Building Codes);

It was moved by Commissioner Layson, seconded by Commissioner Bowers, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Upon recommendation of Mayor May, it was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that Sherron Jackson be reappointed to the Planning Commission for a term to expire June 30, 2008; that Shanda Blankenship representing County Hotel-Motel Association and Marc Stone representing City-Hotel/Motel Association, each be reappointed to the Tourist and Convention Commission for terms to expire June 30, 2007; that Mark Fields be appointed to the Code Enforcement Board for a term to expire March 22, 2007 replacing Janice Osborne whose term has expired; and that Barry Holder, Jr., be appointed to the Board of Zoning Adjustment for a term to expire July 1, 2005, replacing Chuck Fletcher. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that contract for purchase of truck-mounted camera system be awarded to Cues of Orlando, Florida, low bidder, in amount of \$146,112, with funding from 2004-2005 fiscal year budget, sewer lateral account 400.68.56550, and delivery not to be made until after July, 2004. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

Commissioner Layson requested update on status of new subdivision regulations. Senior Staff Planner Robert Hewitt responded that regulations are being reviewed and should be forwarded to Zoning Update Committee and Planning Commission with recommendations in approximately one month.

Citizen Comments:

- § Terry Sutton, Kentucky Avenue, distributed copy of KRS 100.203 to Board and City Solicitor, noting he feels he is being harassed by City staff when working to improve property owned by him.
- § Anne Gibbs, proposed ordinance for replacing city appointed members to boards had been removed from agenda, resignation should be requested of any member not doing their job in lieu of ordinance.
- § Doug Williams, should have regular evaluation of board members reference attendance, performance.

Commissioner Comments:

- § Commissioner Bowers announced Habitat for Humanity will start its 12<sup>th</sup> house on July 2, Kentucky Changers will be working in Frankfort for one week, while working with Habitat; training for community crisis responders being held in Frankfort July 20-21.
- § Commissioner Fletcher thanked fellow Board members for his appointment to the Board of Commissioners.
- § Commissioner Layson welcomed Commissioner Fletcher to the Board; noted for the record that the issue of using City funds for the proposed YMCA building project is not whether there is support for the new facility but whether public tax dollars can be used, noting the Board supports the YMCA's mission and appreciates their contributions to the community.
- § Mayor May announced annual Riverview Park/July 4 activities will be held on Saturday, July 3.

There being no objection, meeting adjourned upon motion by Commissioner Bowers, seconded by

Commissioner Layson.

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MAYOR

ATTEST:

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CITY CLERK